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9 Attorneys for WAYMO LLC

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 WAYMO LLC,

13 Plaintiff,

14 vs.

15 UBER TECHNOLOGIES, INC.;
16 OTTOMOTTO LLC; OTTO TRUCKING
17 LLC,

18 Defendants.

CASE NO. 3:17-cv-00939-WHA

**DECLARATION OF JEFF NARDINELLI
IN SUPPORT OF PLAINTIFF WAYMO
LLC'S MOTION TO EXCLUDE OTTO
TRUCKING'S DAMAGES EXPERT
JAMES MALACKOWSKI PURSUANT
TO RULE 702**

1 I, Jeffrey W. Nardinelli, hereby declare as follows.

2 1. I am a member of the bar of the State of California and an associate with Quinn
3 Emanuel Urquhart & Sullivan, LLP, counsel for Plaintiff Waymo LLC ("Waymo"). I make this
4 declaration of personal, firsthand knowledge, and if called and sworn as a witness, I could and
5 would testify competently as follows.

6 2. Attached as Exhibit 1 is a true and correct copy of excerpts of the Rebuttal Expert
7 Report of James E. Malackowski, served on September 7, 2017.

8
9 I declare under penalty of perjury under the laws of the State of California that the
10 foregoing is true and correct.

11 DATED: September 16, 2017

12 /s/ Jeff Nardinelli
Jeff Nardinelli

13
14 **SIGNATURE ATTESTATION**

15 Pursuant to Local Rule 5-1(i)(3), I attest under penalty of perjury that concurrence in the
16 filing of this document has been obtained from Jeff Nardinelli.

17
18 /s/ Charles K. Verhoeven
Charles K. Verhoeven